

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE: ELECTRONIC SUBMISSION OF
NDOC PRISONER DOCUMENTS

FIFTH AMENDED GENERAL ORDER 2012-01

Since February 19, 2013, the United States District Court for the District of Nevada (“Court”), the Nevada Department of Corrections (“NDOC”), and the Office of the Attorney General of the State of Nevada have participated in an electronic filing project designed to reduce the cost of processing prisoner filings in cases filed under 42 U.S.C. § 1983 under General Order No. 2012-01. The terms of the e-filing project are now mandated as follows:

1. Electronic filing of prisoner filings in civil rights cases was implemented at Northern Nevada Correctional Center (“NNCC”) in 2013, at Lovelock Correctional Center (“LCC”) in 2015, and on April 1, 2020 at both Ely State Prison (“ESP”) and High Desert State Prison (“HDSP”).
2. All prisoner filings in all federal cases before this Court, including civil rights and habeas corpus cases, must be filed electronically at those facilities which have implemented electronic filings.
3. All NDOC prisoner filings in all federal cases before this Court, including civil rights and habeas corpus cases, must be filed electronically beginning no later than January 1, 2022, excluding filings from rural NDOC camps.

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4. NDOC will be provided with free Public Access to Court Electronic Records (“PACER”) accounts for use by the law librarians who become registered users.
5. NDOC staff must scan to PDF and transmit electronically to the Court all documents presented by prisoners for filing with the Court. The original documents must be returned to the prisoner. All documents submitted for filing by prisoners in NDOC facilities must be emailed to the Court in PDF format, and in accordance with NDOC procedures therefor.
6. The Court will receive and file the prisoners’ documents electronically. After traditional service of the prisoner’s complaint, and appearance by an opposing party, electronic transmission of the filed document to opposing parties who are registered users of the Court’s electronic filing system constitutes service of the hyperlinked document for purposes of Rule 5(b)(3) of the Federal Rules of Civil Procedure. The inmate must mail a copy of the prisoner’s electronically filed document to non-registered users.
7. Each NDOC facility, excluding rural NDOC camps, must establish an email address for receipt of documents filed electronically. NDOC staff will print the electronic transmission receipt, the hyperlinked order, and other documents filed by the Court. Receipt of copies of the receipt and hyperlinked documents by the prisoner constitutes service of the document on the prisoner. If the prisoner refuses delivery or is no longer at a particular NDOC facility, NDOC staff must indicate the reason for non-delivery on the transmission receipt and email it to the Court.
8. Opposing parties who are registered users of the Court’s electronic filing system must serve filings on NDOC prisoners by the Court’s electronic filing system. NDOC staff must print and provide to prisoners the electronic receipts, and the hyperlinked documents filed by opposing parties.

The Court has evaluated the e-filing project and determined it should be continued permanently at all NDOC facilities, excluding rural NDOC camps, and that the e-filing project will become mandatory at other NDOC facilities on the schedule stated above.

DATED THIS 3rd Day of September 2020.

MIRANDA M. DU, CHIEF JUDGE
UNITED STATES DISTRICT COURT